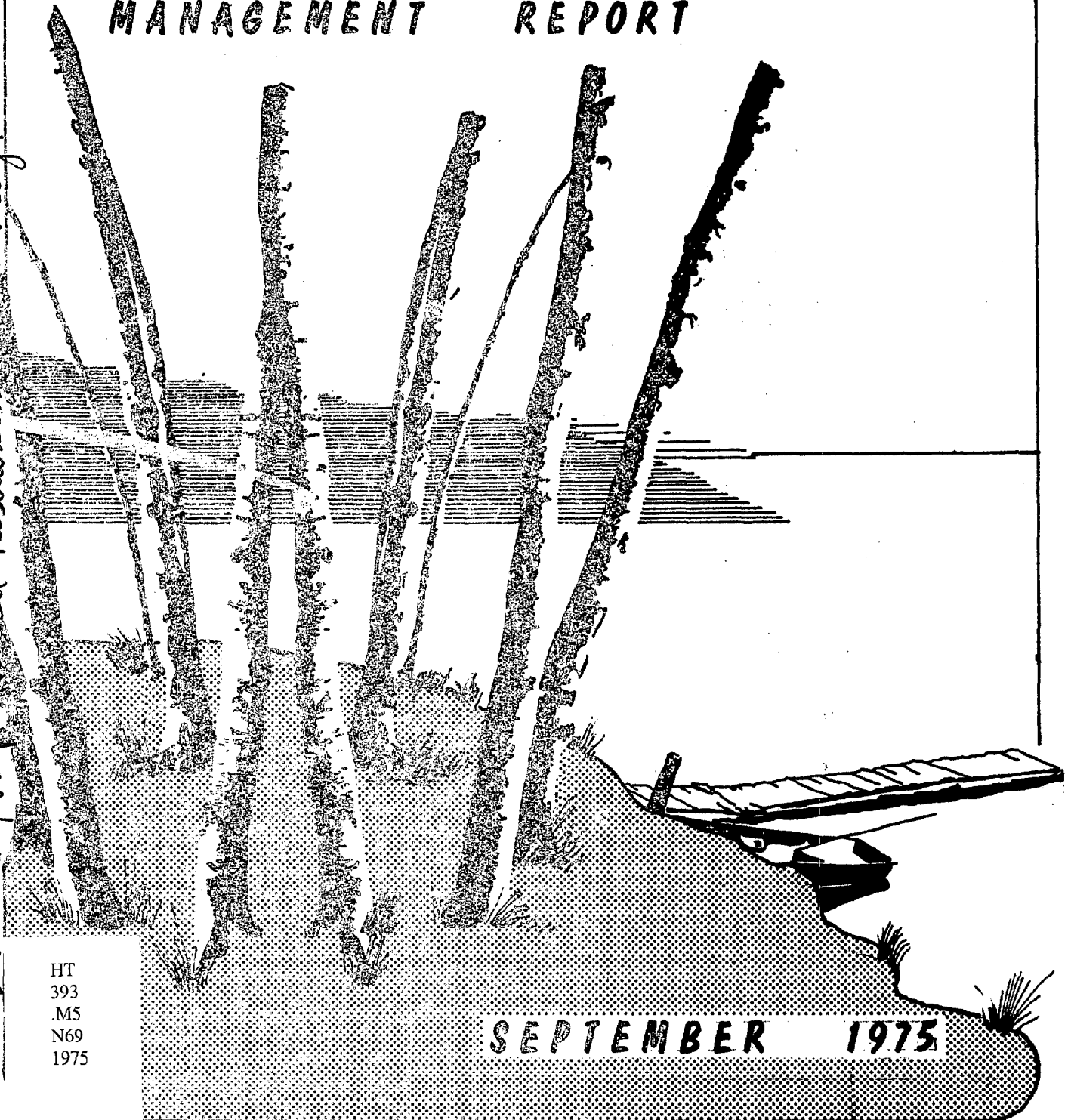


W. P.

Coastal Zone  
Information  
Center

# NORTHWEST MICHIGAN COASTAL ZONE MANAGEMENT REPORT



SEPTEMBER 1975

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Michigan: Dept. of Natural Resources Coastal Management Program

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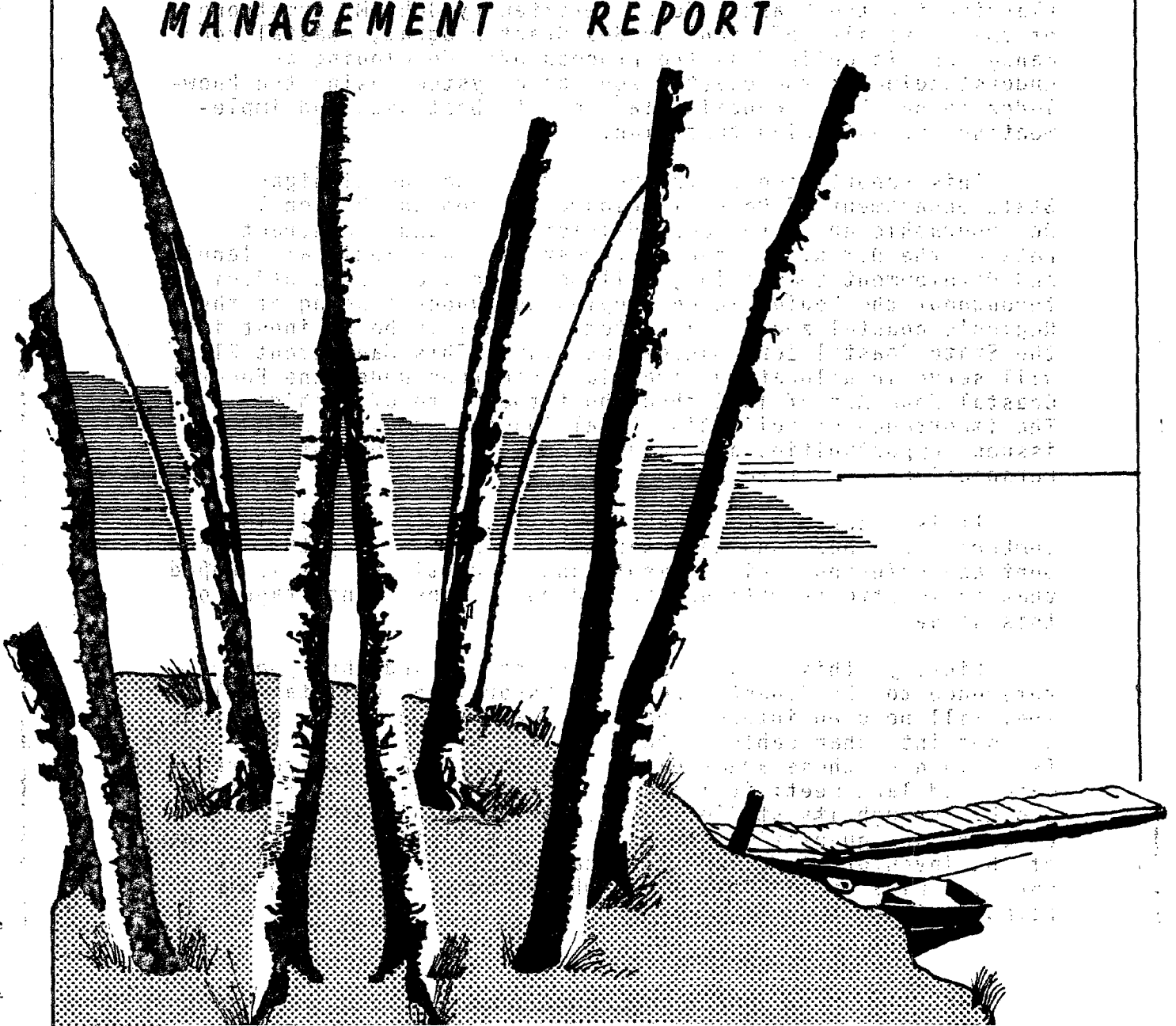
WEXFORD COUNTY

\*James Clark  
Chester Finster  
Harold O. Flynn

\* Denotes Executive Committee

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# **NORTHWEST MICHIGAN COASTAL ZONE MANAGEMENT REPORT**



The preparation of this document was funded in part through a contract with the Michigan State Department of Natural Resources under financial assistance provided by the Coastal Zone Management Act of 1972, administered by the Office of Coastal Zone Management, National Oceanographic and Aerospace Administration.

## FORWARD

In a paper entitled, "The Structure of Management and Planning for the Coastal Zone", written by John M. Armstrong of the University of Michigan Sea Grant Program, coastal zone management is defined as the process of: developing an understanding of the coastal zone as a system; using the knowledge to develop a dynamic plan for its best use; and implementing and enforcing that plan.

This report, funded through a grant to the Michigan State Department of Natural Resources, from the National Oceanographic and Aerospace Administration and a contract between the D.N.R. and the Northwest Michigan Regional Planning and Development Commission, will begin to aid public officials throughout the Region in developing the understanding of the Region's coastal zone as a system, as well as be an input into the State Coastal Zone Management Plan. This Management Plan will serve in allocating financial resources under the Federal Coastal Zone Act of 1972 throughout the State of Michigan. The importance of soliciting local input on coastal zone issues, opportunities and needs is magnified when put in perspective of a State Plan.

It is necessary to thank the many planning commission members and others who have taken time in reviewing this document and offering their comments and suggestions. It is hoped that these efforts will be carried on in subsequent stages of this study.

Finally, this is a coastal zone report and throughout reference to the "coastal zone" or "shoreland" will take place; they will be used interchangeably, even though technically they are not interchangeable. The coastal zone as used in this report is defined as those areas either side of the line where the water and land meet; it includes both land and water. The D.N.R. through its studies is attempting to pinpoint the distance and quantities which define its limits. For the intent of the inventory information contained herein, the distance employed will be flexible as to what type of information is being depicted.

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A D D E N D U M

to

NORTHWEST MICHIGAN COASTAL ZONE MANAGEMENT REPORT

Because of the timing of meetings and the report duplication, the Leelanau County Planning Commission had only one occasion on which to discuss the report with the Commission staff. The second opportunity to review this report with staff occurred after the final report was reproduced. This addendum is a re-statement or deletion of the below noted issues:

The fourth issue on page 12 dealing with public access is deleted.

The second issue on page 13 is restated as:

- \* Management of the Leland Harbor facility has long been a concern of the residents of the Leland area.

In the fourth issue on page 13, the last sentence, starting with "Public ownership of these islands...", is deleted.

Under the section dealing with Benzie County issues, one issue was unintentionally omitted in the rewrite. The following statement is added to those on page 14:

- \* The Frankfort sewage treatment plant out-falls into Betsie Lake. The plant only treats the wastes to the primary stage. This action, if unchecked, will continue to have serious water quality impacts on Lake Betsie and the Lake Michigan waters near Frankfort.

## COASTAL ZONE MANAGEMENT - PROGRAM RELATIONSHIPS

The Coastal Zone program is comprehensive in nature. The program involves all the considerations of a comprehensive planning program. The natural determinants, soil type and capability slope, vegetation, ground water, geology and faunal communities, serve as the natural basis for planning. The existing patterns of land use, utilities, population, distribution, transportation and economic and social considerations defines the cultural patterns and directions. Existing government structure including laws, programs, rules, standards, politics, finances and administration serve as the legal and operational framework for public investment, control and implementation. All of these forces and considerations are at work in the coastal zone and as such all must eventually be addressed in the regional coastal zone program.

### The Region

The Northwest Michigan Regional Planning and Development Commission is considered an "umbrella" agency. Its planning efforts cover the economic, social and environmental aspects of the Region. The work program is geared continually toward the integration of these planning efforts at levels of policy formulation and functional planning. The Preliminary Regional Outdoor Recreation Plan, Water and Wastewater Plan - Northwest Michigan, the Commission's subdivision study, and other Commission studies and reports will serve as inputs into this program.

In the future, the Commission will be getting further involved in the areas of land use, water quality management and transportation. This coupled with the ongoing role of economic and human development, will expand the comprehensiveness of the Northwest Michigan Regional Commission's program and further enhance the umbrella concept.

Because of the comprehensive nature of any Coastal Zone Management Program, it becomes clearly evident that an umbrella type of agency, like the Northwest Michigan Regional Commission, is an ideal agency to coordinate the coastal zone planning function.

## Local and Other Planning Efforts

In the efforts of formulating the goals and objectives and in defining the issues, the work of county and local planning commissions was employed. The comprehensive plans, land use plans, recreation plans, zoning ordinances and environmental studies were consulted. The efforts of the University of Michigan Grand Traverse Bay Sea Grant Study were also consulted and employed. The bibliography covers all the reference material used.

The following sections of this report dealing with goals and objectives and coastal zone issues show the comprehensive nature of coastal zone management; they depict the local concern as translated from the local studies and reports. The recreational value, the residential value, the agricultural importance, the historic significance, the environmental sensitivity and the commercial and industrial value of the coastal zone again point up the total spectrum of use and importance expressed therein.

Many issues as well as opportunities for use exist within the coastal zone. Issues imply conflicts, however, in many instances the issues also define certain opportunities. The ultimate purpose of a coastal zone program is to control human access to and activities in the coastal zone in an effort to limit, guide, prevent or encourage that access or those activities so that issues can be resolved and opportunities enhanced.

This section of the report will define the short term land use trends in the coastal zone and outline the short and long range issues and opportunities which exist or have potential for existing in the coastal zone. The first point will be a broad discussion of trends while the second point will take a sub-regional county-by-county look at the issues and opportunities.

## TRENDS, ISSUES AND OPPORTUNITIES IN THE COASTAL ZONE

### Short-term Trends Land Ownership and Use

Across the Region, the major portion of the coastal lands are in private ownership with most of the owners being individuals rather than corporate bodies. The patterns of ownership vary from county to county, each county expressing a certain uniqueness in ownership patterns. In general, coastal zone



lands or more particularly, lands contiguous to the Great Lakes are used for residential purposes. A good portion of these lands are subdivided. When lands along the shoreline are not subdivided, a good portion are unplatted parcels 10 acres or less in size. Inventories show that over 85% of the subdivisions were subdivided prior to the 1968 Subdivision Control Act which was a critical piece of legislation tightening the regulations of subdivisions. As such, many of these subdivisions were outside the realm of strict and meaningful control. Reluctantly, land suitability for residential development was not considered; which may mean that many of the existing Lake Michigan lots are substandard in regard to present health codes. Residential use and ownership appear to be predominant along the shoreline and within the coastal zone.

Secondary to the subdivided ownership pattern and its predominant residential use are the public lands. There appears to be a state and federal concern for acquiring lands in the coastal zone which exhibit some unique feature. Also, there have been some cases where individuals, who own land for which they have acquired a reverence, have donated or sold that land to some level of government. These are not common occurrences, but it has happened more than once in the last two years. At any rate, more land within the coastal zone, especially waterfront land, is coming under public ownership. The use of these public lands are being subject to less intensive types of recreational activities, and people seem to be demanding that public lands be used more as preserves and quiet and natural areas.

Next to the public lands, the larger parcels are primarily in the hands of individuals or "land" or development companies. In regard to land management capabilities, these parcels will present the real opportunities and problems. From a land-use standpoint, these parcels are presently not readily defineable from the information available. Some parcels might be active agricultural lands while others might be either fallow, totally inactive, forest land, or vacant. In any event, if the land is presently not in an agricultural use, it might be viewed as being held speculatively and possessing development potential. These are the lands which must be given particular attention in any management program because of impact they might exert on the coastal zone. There is very little a management program can do to influence already subdivided land, or small parcel (5-10 acre) lands. Some influence can be exerted but its effect and applicability is essentially minimal. So the management program must have as one of its focal points the large, undeveloped parcels which do possess development potential. Also, the agricultural lands within the coastal zone, especially the prime fruit growing areas,

must be approached as part of a coastal zone open space system, and because of the economic, cultural, and aesthetic opportunities they afford maintained in agricultural use and ownership.

There are many industries located along the shoreline; most of these industries have located here because of the need for some basic natural resource. The power generating plants have located on the shoreline because of the ease of accessibility to clean water for cooling, generating and transportation purposes. New concepts and advances in the power industry present siting problems as they relate to aesthetics, zoning, public outcry, thermal and nuclear pollution, and similar concerns. Other industries located in the coastal zone are extractive in nature. Limestone, shale and sand are mined for the manufacture of cement. This activity occurs primarily in the northern part of the Region where bedrock lies near the surface. Another coastal zone activity dependent upon an indigenous natural resource is the sand extraction industry, mining sand for foundry molds.

Each industry presents its own problems as to what are the immediate impacts associated with those industries and what are their short and long range plans. Of particular importance should be the plans of the extractive operations for successive use of their land holdings as well as the needs for additional power facility needs in the Region.

Basically the trends in land use patterns along the coastal zone appear to be associated with residential development; followed by the public sector making capital expenditures in coastal lands and providing recreational opportunities or protection to some unique resource. Lastly, industrial development in the coastal zone is allied with resource utilization and the extractive industry. As a projection of trends, the first two trends will continue while industrial activity in the coastal zone will stabilize based on the fact that the natural resources which support the operations are finite so that any industrial expansion is dependent upon either new resource finds or a shift in the type of industries in existence.

### Issues and Opportunities

This section, dealing with issues and opportunities in the Region's coastal zone, has been discussed at various meetings with public officials and interested individuals. Comments on the information depicted in the Preliminary Coastal Zone Management Report have all been entertained herein, the attempt is to portray as closely as possible the attitudes of the local people toward the coastal zone.

This report and the statements related herein are still subject to local review and comment. During the next contract year, these statements will be used as one of the inputs into the management plan.

For the sake of this section dealing with issues and opportunities it may be necessary to define access. When the term public access is employed, it will primarily imply public ownership and embrace a broad spectrum of use opportunities, from highly developed recreational facilities to undeveloped wilderness opportunities. Where comments have been made on specific access needs, those desires will be made specifically, i.e., boat access, swimming access, etc.; otherwise, where deficiencies in access are pointed out it will generally mean that no access opportunity exists of any type.

In outlining the issues and opportunities, three geographic areas of similarity of Great Lake focus were delineated. The North Lake Michigan shoreline includes Charlevoix and Emmet Counties; the Traverse Bay shoreline includes Antrim, Grand Traverse and the east side of Leelanau County; the South Lake Michigan shore includes the west shore of Leelanau County and Benzie and Manistee counties. Each area is somewhat distinctive in its use patterns, recreational pursuits and natural environment. There also were some inter-county issues and opportunities which supported these sub-regional aggregations.

#### North Lake Michigan Shore

##### Emmet County

\* Some controversy has been generated in the County over the Wilderness State Park Plan. Even though the basic issue of ORV use along the beach has been resolved, the problem of use conflicts still remains in other portions of the County and Region between motorized and non-motorized uses and is apparent in degradation of dunes south of the State Park.

\* Associated closely with the Wilderness State Park is a problem outlined by the County Planning Commission and in a local newspaper. The problem deals with a social attitude. It appears as if both public and private lands between the State Park and Cross Village are subject to indiscriminate camping, nude bathing, litter, public drunkenness and general over use of this area to the detriment

of the dunes. The problem appears to be associated with the sparseness of settlement and the inability of local and state law enforcement authorities to continually patrol the area.

- \* There is a need for a harbor facility in the Cross Village area as expressed through Federal, State and local plans and initiatives.
- \* The County plan encourages the development of "local" recreational facilities and accesses to Lake Michigan. Presently between Cross Village to Harbor Springs, there appears to be a general lack of publicly owned access points to Lake Michigan.
- \* Subdivision inventory of the Northwest Michigan Region reveal relatively sparse development of subdivisions between Cross Village and Harbor Springs. If such is the case, then there remains some prime shorelands susceptible to development. These are the lands for which planning is critical.
- \* High-rise development in the urban area of the County has posed problems to local officials. The urban waterfronts in this part of the state support different development strategies than in the major urban centers.
- \* High risk erosion areas do not pose the problems that they do in other counties of the Region, but they do exist in Emmet County. The problems arise on those subdivided areas designated as high risk erosion and not falling under the influence of the State Shorelands Management and Protection Act.
- \* The quality of the Bear River which enters the Great Lakes at Petoskey is determined, by recent studies, to be of high quality. Efforts of all municipalities which border the river should be geared toward the maintenance of water quality from the head waters to the mouth as that water quality would relate to growth, development and utility policies of the local units.
- \* Penn Dixie properties include about a 5-mile stretch of shoreline. It becomes essential to the long-range viability of the coastal zone to learn of the industry's intent in relation to the use of its holdings after extraction of the minerals is complete. This area is vast enough to have sufficient impact on water quality and overall character of the Charlevoix/Emmet County boundary area.

- \* Many turn-of-the-century resort areas exist in the County which do have historical significance.

### Charlevoix County

- \* Island environments are unique. In our Region, in Charlevoix County, there are a wealth of island environments. The isolation afforded by the water, the climatic effect of the water, the plant and animal communities, the historic and cultural significance, are all at play in making islands somewhat different from the mainland. In Charlevoix County there are four major islands: High, Garden, Hog, and Beaver. Of these, Beaver Island is the most significant since it does have a permanent resident population and is more than twice as large as any other of the Region's islands. One area which has to be discussed is whether all of Beaver Island should be considered in a coastal zone management program. Another area of concern on Beaver Island is the American Central development and the short and long range problems the development presents to the local government on the Island.
- \* There are substantial portions of Charlevoix County shoreland in large private holdings. These areas are essential to the maintenance of the present and future shoreline character of Charlevoix County.
- \* Erosion is not the problem that it is in other regional counties, but there are areas in Charlevoix County susceptible to erosion, some of which do not come under the influence of the State Shorelands Management and Protection Act.
- \* Extractive activity is presently being carried out in two areas within Charlevoix County's coastal zone. A small operation in the northeast section of the County and the Medusa operation west of the City of Charlevoix. As in Emmet County, these extractive operations may or may not presently be an issue. However, the concern raised here is as to what the long range use of these sites will be after the extractive activity is complete.
- \* Access to the Great Lakes in Charlevoix County does not appear to be an issue today. In the long range, especially in the part of the County north and east of Charlevoix toward the Emmet County line, access might be a problem with increased development.

- \* The treated effluent of the City of Charlevoix outfalls into Lake Michigan. No doubt that all standards of quality are being adhered to, however, it is still effluent.
  - \* Prime fruit growing areas occur in Charlevoix County and are influenced by the climate of the Region. These areas are important to the economic, social and environmental well-being of the County.
  - \* The Consumers Power Big Rock Point though not viewed as an issue at the local level, does pose some overall regional, state and national issues in relation to *uclear* power plant siting.
  - \* In the areas of the County's coastal zone between the southern boundary to the City of Charlevoix, there have been areas of evidence of pre-historic man's inhabitation. *already built over not condominium*
- Traverse Bay Issues

#### Antrim County

- \* Antrim Dells, a non-subdivided 10-acre lot development, has a funnel-access to Grand Traverse Bay. The access point is in an erosion prone area. Intensive recreational development and use in this area may hasten erosional effects. This type of recreational access problem has been an issue in other parts of the Region. The development of second tier land parcels with relatively small beach access sites, may instigate conflicts between shoreland owners and those developers and residents of the back lots.
- \* Public access to the Great Lakes in Antrim County is limited. The Village of Elk Rapids has provided for boat access to the Great Lakes in the Village. The County Park Commission has developed and managed two parks - one south of Elk Rapids and the other at Eastport - for recreation and camping opportunities. There are some public rights-of-way which end at the Great Lakes and might have potential for expanded use. The existence of these rights-of-way for public use is a guarded fact, subsequently they are not used.
- \* There is a need for a boat launching facility between Elk Rapids and Charlevoix.

\* The Elk River Watershed System empties into the Great Lakes. The large amount of development along the Chain-of-Lakes and the presence of two municipally owned sewage treatment plants which empty into the system will have a cumulative effect on water quality of East Bay. The City of Traverse City uses East Bay as the source for its city water system.

\* Fruit production in the County is an important factor in the local and regional economic and cultural picture. Most lands presently under orchard production are ideally suited to that purpose and as such are a link in the economic picture of the County. Typically, the qualities which make these areas well suited to fruit forming also make them desirable and suitable for residential development.

\* Within the County there is at least one known archeological site which is an important prehistoric site. It is located in the vicinity of Eastport on the shoreline. The full potential of the site, including its extensiveness and level of duration of use is unknown.

\* High risk erosion areas are prevalent along Antrim County's shoreline. Local initiatives are necessary in those subdivided areas designated as high risk erosion and not under the purview of the State Shorelands Management and Protection Act.

\* The County has many coastal wetland areas, some of which are being managed under local zoning regulation.

#### Grand Traverse County

\* Erosion areas have been designated by the DNR in Peninsula, Acme and East Bay Townships, as well as in the City of Traverse City. Within the City, the major portion of the erosion prone areas have come under public ownership as part of the City's waterfront open space policy. Much of the erosion prone areas in the townships border shoreline subdivisions and commercial development, and as such, are not included under the state program influences.

\* Public ownership of coastal lands is limited outside of the Traverse City city limits. Within the City, the shoreline property is exposed to heavy use on a relatively narrow band of land. The Petobego Pond area and areas on the Peninsula are conducive to public investment.

- \* One of the urban management problems deals with high-rise development in the coastal zone. The City of Traverse City wrestled with this problem over one year ago when the Howard Johnson, 11-story motel was proposed. As an issue, this has particular local focus, i.e., it must be resolved locally, reflecting local desires and needs. Use and design principles, performance standards and other control measures must be used in passing judgement on these matters. Local planning must take the initiative.
- \* The extension of sewers along the waterfront is another local issue. It is highly unlikely that other areas in the Region will experience this same type of problem. The linearity of development outside the Traverse City corporate limits along both bays and extension of sewer service to those areas may serve as impetus to growth in areas where growth cannot or should not be accommodated.
- \* The County has many prime fruit-growing areas. They are critical to the economic and cultural activity of Grand Traverse County as well as the surrounding counties. If the fruit and particularly the cherry industry remains viable, then conversion to other land uses will not be a substantial problem. If for some reason, be it an internal industry problem or some external economic pressure, the industry can no longer maintain its viability, then a wholesale land conversion process may ensue. The proximate, privately maintained open space system might be lost with an equally important economic and cultural void born.
- \* There have been some conflicts in the past between the winter sport fishing interests and the winter navigation interests on West Grand Traverse Bay.
- \* There is a demonstrated need for additional marina facilities on West Grand Traverse Bay in the vicinity of Traverse City. One problem which is evident in this regard is that the greater number of marina users are not city residents, yet the facility is operated by the city at some cost. City residents are not totally in agreement with marina expansion as was brought out at the Planning Forums held in the spring of 1975.
- \* Where oil and gas spill contingency plans exist, they should be tested to insure their feasibility and effectiveness. Where such plans do not exist, they should be developed in order to be prepared for such an occurrence.



\* The University of Michigan Sea Grant Study has shown that storm waters carried by the city storm drain system has, for short periods of time following storms, seriously affected water quality in the shore and near shore areas of Traverse City.

\* The Boardman River empties into the West Grand Traverse Bay. There is much residential development along the river with septic tanks being the major sewage treatment method. Two municipalities use the river to carry their treated effluent. Water quality impacts of the river on the Bay are major.

\* There are areas in Peninsula Township which have exhibited extremely high levels of nitrates in the water supplies. The Township governmental bodies are addressing the problem in an attempt to find a solution.

\* The power plant in Traverse City raises some issue within the City as well as outside. (See the second issue below, under Leelanau County.)

### Leelanau County

This county is unique in that it has two different coastal zone orientations. The east shore of the County is contiguous to Traverse Bay and the west shore oriented to Lake Michigan. The recreational and use potentials of these areas vary greatly.

\* Erosion problems are great on the Bay not because of the abundance of these areas, but because of the fact that relatively intense residential development has taken place in areas noted as being subject to erosion.

\* The Traverse City Coal Dock, located in Elmwood Township in Leelanau County has caused some head-to-head conflict between the city and township. This issue, though possessing some aesthetic and environmental questions, is part of the two boarder issues of Great Lakes port location and power plant siting. The economic advantages to water transport are common fact, however, the bulk nature of shipped goods necessitates either extremely sophisticated and costly unloading and storage facilities, or just a piece of land next to a deep draft area on which the shipment can be dumped.

- \* The Suttons Bay wastewater treatment plant outfalls into Suttons Bay, a minor embayment on the larger Grand Traverse Bay. Again, water quality is of critical concern resultanty strict compliance to state standards is essential.
- \* The County as with other bay area counties is a prime fruit growing area. The coastal and near coastal zone areas appear to be most suitable for this purpose. They are important, as brought out before, because of the economic and cultural importance they exert in maintainence of the coastal zone open space system.
- \* The conflicts of commercial fishing, Indian fishing rights, and sport fishing in the Great Lakes must be resolved.
- \* Public access to the Bay in this portion of the County occurs only in the villages of Suttons Bay and Northport and in the settlements of Omena and Greilickville. There are large areas of the east side of the County which have no public access sites.

### South Lake Michigan

#### Leelanau County

- \* Sleeping Bear Dunes National Lakeshore has been established by Federal law. There was substantial local outcry against the lakeshore when it was first proposed. Remnants of the local distaste for the National Lakeshore remain but an attitude of resignation to the Federal action with a view of working in the best interest of the County has evolved. There are many subordinate issues addressed under this general Sleeping Bear issue.
- \* The National Park Service Plan should address "preservation" as the overriding goal influencing every aspect of Park Development.
- \* The greatest impact on the County will be external of the park boundary. Pressure for commercial development in near park areas to serve the projected three million park visitors will be great. Growth management measures must be used to control the development and accommodate the visitors.

- \* Erosion is a serious problem along the Lake Michigan shoreline of Leelanau County. There are a fair amount of subdivisions along this area which do not come under the influence of the State Shorelands Management and Protection Act. Absence of control of structure location in these subdivisions might pose a threat to the useful life of structures.
- \* Local and state interests have been at odds concerning Leland Harbor expansion and management.
- \* Local initiative must be exerted to influence the densities of development in the area near the mouth of the Crystal River.
- \* The islands are special areas. North and South Manitou upon acquisition by the National Park Service will be managed as wilderness areas. South Fox Island, a major portion of which is owned by the State, and North Fox Island, all of which is privately owned, pose a different management problem. Public ownership of these islands would benefit future generations as a means of protecting and providing "wilderness" opportunities.
- \* Commercial and sport fishing interests are at conflict in this portion of the County.

#### Benzie County

- \* Benzie County faces the same basic issues as does Leelanau County in respect to the Sleeping Bear Dunes National Lakeshore:

• The National Park Service Plan should address "preservation" as the overriding goal influencing every aspect of Park Development.

• The greatest impact on the County will be external of the park boundary. Pressure for commercial development in near park areas to serve the projected three million park visitors will be great. Growth management measures must be used to control the development and accommodate the visitors.

\* Platte River mouth and the sport fishery encouraged in that area do not appear to be compatible quantities. There have been proposals for development of a harbor/boat launching facility at the mouth of the

river. There is both opposition and support of the proposal within the County.

- \* A major portion of the County has shoreline designated as high-risk erosion. The primary issue is the threat of erosion to those subdivided areas not coming under the purview of the State Shorelands Management and Protection Act.
- \* The recent development of oil loading facilities off the sand dunes in Elberta has caused to make the area visually obtrusive. Local government lacks the overall ability to influence or control the location, design and building of facilities like this.
- \* The Consumers Power Pump Storage Facility is presently estimated to begin construction by about 1985. There are some associated social and environmental problems with a project of this scale; also addressed is a broader state and nationwide issue of power plant sitings. The projects local effects include: short-term impacts on school enrollments; increased housing needs; potential ground water characteristics changes; impact on fish populations; removal from production of prime fruit sites; and overall change in the character of this portion of the County.
- \* Benzie County is part of the fruit belt and has lands in near proximity of the lakeshore which are prime fruit growing areas.
- \* Public access south of Elberta to the Benzie/Manistee County line is limited to public rights-of-way ending at the Great Lakes. These areas could serve as a core for development of local recreational accesses to the Great Lakes.
- \* Dune areas south of the National Lakeshore pose a development problem. Besides being features which are economically valuable mineral deposits and prime development sites, they are also sensitive and unstable features important to the cycles of beach enrichment and shoreland protection.
- \* The recent interest in hang-gliding near Frankfort has given use to accelerated dune degradation, litter, and sanitation problems during certain times of the year.

## Manistee County

\* The Consumers Power Pump Storage Facility is presently estimated to begin construction by about 1985. There are some associated social and environmental problems with a project of this scale; also addressed is a broader state and nationwide issue of power plant sitings. The projects local effects include: short-term impacts on school enrollments; increased housing needs; potential ground water characteristics changes; impact on fish populations; removal from production of prime fruit sites; and overall change in the character of this portion of the County.

\* Sand extraction in the vicinity of Manistee has caused some problems. The dunes area north of the City of Manistee has essentially been leveled by a private sand mining company. The protection afforded the area by the dunes has been lost. Dunes areas should be managed for both their environmental and economic significance.

\* Erosion is a problem in Manistee County. In response to the State Shorelands Management and Protection Act, much of the shoreline is designated as "high risk erosion". This poses a problem to Manistee County in the subdivided areas of the County which are not included under the State Shoreland Management and Protection Act.

\* The City of Manistee puts its treated sewage effluent into Lake Manistee which eventually empties into Lake Michigan. The outfalls of treatment facilities of some industries even though within the limits of existing standards, also eventually empty into Lake Michigan.

\* Fruit production in Manistee County is an important economic activity with implication far beyond the basic agricultural pursuit. These lands must be protected.

\* Public access is somewhat limited to the Great Lakes between Arcadia and the Manistee State Park. There are some road rights-of-way which terminate at the shore of the Great Lakes and could serve as a core for a local recreational access improvement program.

## Regional Issues

Upon going through the previous material, it becomes clearly evident that there are some issues which are stated and restated. These will be termed the "regional issues" and are summarized here.

**\* Agriculture:** In the Northwest Michigan Region, fruit farming is a very important part of the Region's economy and overall character and identity. The cherry and strawberry have done as much for this Region's tourist industry as have the high quality lakes. Most of the high quality fruit growing areas are in near shore locations. It is essential to address preservation and protection of these fruit growing areas on even a broader level than the Region.

**\* Power Plant Siting:** Presently three generating facilities exist in the Region: two on the Great Lakes with Big Rock Point north of Charlevoix on Lake Michigan and the Traverse City Power Plant on the West Arm of Grand Traverse Bay. The plant at Advance on Lake Charlevoix has access to Great Lakes shipping for fuel and equipment. Out of the existing regional generating facilities, the Traverse City facility has raised the greatest issue in respect to local outcry against such a facility. The Consumers Power Pump Storage Facility planned for the Benzie-Manistee County line poses some problems and potentials as expressed under the County section. Solutions to the overall problem of siting power facilities lies with all levels of government as well as the private industry sector. The State must assist in defining the need as well as the allocation. Technological explorations might reveal methods of removing these facilities a reasonable distance from the shoreline.

**\* The commercial/sport/Indian fishing controversy** has caused some very real problems within the Region.

**\* State fish planting policies** must be developed in coordination with developed access sites. The Platte River and Platte Bay coho plantings were made in total disregard to the nature of the area, which lacked capacity for providing access to the Platte Bay fishing grounds.

**\* The Sleeping Bear National Lakeshore** is an issue which spills beyond the coastal zone. Its effects will also reach beyond the counties of Benzie and Leelanau. The projected 3 million visitors will have a substantial impact.

- \* Sand dunes preservation though not mentioned to a great extent, touches each county bordering the Great Lakes in Northwest Michigan. Sand dunes are unique features, sensitive to man's activity; also deposits of a commercially valuable resource -- a true dilemma which bears consideration.

\* The oil industry is active in this portion of the State, but not in the coastal zone areas. However, in the back of everyone's mind is the possibility of off-shore drilling for the Niagran deposits. An issue out of the hands of local control and one on which the State presently has a firm "no drilling" policy.

- \* The Region has a great share of historically significant sites in the coastal zone. One link tying the Region together is that its history and roots are imbedded in the coastal zone.

In any coastal and recreational area of the coastal zone, and its activities are often attracted to that area. The coastal zone is a natural area of attraction, and its development should be planned to take advantage of its natural beauty and recreational potential. The coastal zone is a natural area of attraction, and its development should be planned to take advantage of its natural beauty and recreational potential. The coastal zone is a natural area of attraction, and its development should be planned to take advantage of its natural beauty and recreational potential.

To date, the goals and objectives have not been living the reality by the local units that they deserve. In the following paragraphs, local planning efforts will be related in the synthesis of local goals and objectives. Such, the opportunity for comments has been limited. During the second year, emphasis will be placed on review of the goals and objectives in an effort to bring them to the issues enumerated in the previous section.

### The Program Goal

The Commission's general goal is to develop a regional "goal" which adds to the state's overall development and potential. The Commission believes the coastal zone is a key area of development and potential. The Commission believes the coastal zone is a key area of development and potential. The Commission believes the coastal zone is a key area of development and potential.

## GOALS AND OBJECTIVES

The Region's coastal zone is an area subject to the greatest use variation mainly because of man's historical dependence upon water, and the attraction that water has for man. There was a time when white men were totally dependent upon water for their basic transportation needs. Resultantly, villages and cities were located with their focus toward the water and the accompanying industrial activity located on the waterfront, contiguous to its vital transportation mode. Today we are bridled with this legacy, with remnants of these early patterns. These historical patterns do have a greater affect on other geographic areas than they have on the Northwest Michigan Region simply because this area has long since lost its importance as an industrial center. As a result the uses within the coastal zone have shifted.

Today limited transportation and industrial activity are carried out within the Region's coastal zone. New trends are emerging with a greater emphasis being put on the residential and recreational use of the coastal zone. In any case, man and his activities are being attracted to that area we term the coastal zone. Indiscriminate use patterns, lack of planning, lack of access, declining water quality, and the decreasing supply of undeveloped coastal zone areas are some of the issues and areas of concern which will be addressed through the exercise of objective and policy formulation.

To date, the goals and objectives have not been given the scrutiny by the local units that they deserve. As stated in the following paragraphs, local planning efforts have assisted in the synthesis of these goals and objectives and as such, the opportunity for comments has been limited. During the second year more emphasis will be placed on review of these goals and objectives in an effort to better tie them to the issues enumerated in the previous section.

### The Program Goal

The Commission's coastal zone program has a singular "Goal" which addresses both the short and long range problems and potentials which the coastal zone exhibits and possesses. The Commission envisions the Coastal Zone Program goal of the Region and all the local units therein as:

TO INSURE THE OPTIMUM USE OF THE COASTAL ZONE



Through the enactment, administration and enforcement of local policies; through regional coordination and assistance; through the State coastal zone planning effort; and through stated federal coastal zone objectives, attempts to bring about the most favorable uses in light of the economic well-being, the existing social values and most importantly the natural phenomena in the coastal zone will be more easily achieved.

Under this single goal there are three major areas to which goals and objectives for coastal zone management will be addressed. These are:

1. Natural Resources
2. Land and Water Use
3. Decision/Control Process

The exercise of developing goals and objectives must be sincere in reflecting the desires and needs of the Region's residents. In developing the goals and objectives, much time was taken in reviewing county and local plans for their goal, objective and policy statements. The statements used in this report are taken directly from the local reports so that these goals and objectives represent an amalgam of the many county reports. The point of origin of each goal and objective is footnoted at the end of this section.

### Natural Resources

Goal 1: STRIVE TO LIVE WITHIN THE KNOWN LIMITS OF THE  
NATURAL ENVIRONMENT AND ITS DYNAMIC PROCESSES.

Man, in his over 200 year history in this area, has kept records on natural phenomena, such as the fluctuation of the lake levels and climatic data. He has become knowledgeable in the facts of the "wheres and whys" of the floral and faunal communities. He has become familiar with the properties exhibited by the soils, the limits they exert on his ability to raise food or dispose of his wastes. He realizes the constraints that topography and slope exert on his activities. All in all, man has accumulated a vast amount of knowledge about his environment; now is the time to begin to use this accumulated knowledge to guide him in the location of his activities.

**Objective 1.1** Protect wildlife habitat areas from pollution, drainage, and other depletive acts which may alter the ecological balance between wildlife, resources and man.

The balance between the existence and perpetuation of wildlife and the natural habitat is indeed delicate. The impingement of man upon these areas, regardless of how slight, could mean a total loss of these areas and a loss of the life they support.

**Objective 1.2** Preserve unique natural areas which cannot be replaced if destroyed, misused or neglected.

There are certain natural features which may or may not be wildlife habitat areas but still need to be preserved; a natural river mouth, a rock outcropping, an isolated sand dune which provides a view from and to the water. These areas, if not identified as being unique and then protected, could well be lost as opportunities to future generations.

**Objective 1.3** Shape and guide the patterns of land use development away from ecologically sensitive areas.

Within the framework of the Benzie and Leelanau County Comprehensive Plans the Great Lakes shoreline was classified as an "area of environmental concern," "environmentally sensitive," and an "area of critical concern." This triad of terms seems to say that the Great Lakes shoreline is something special and that any development which does occur within what can be determined as the shoreland area must occur in such a manner as to minimize its adverse impact on the environmental quality of the area. The extension of this classification across all the Great Lake shoreland in the Region and convincing public officials to enforce some development standards in these areas should be undertaken.

**Objective 1.4** Provide opportunities, methods and controls to assure continued and future use and conservation of economically valuable natural resources deposits by preventing inappropriate development of conflicting land uses.

Within the coastal zone there is an occurrence of many economically valuable resources: sand, oil, timber, chemical brines. Some assurance has to be given to afford a reasonable access to these resources both in terms of time and absence of conflict between uses. If the resource tends to be of the nature of occurring in other areas in reasonable frequency, then opportunities for access to them within the coastal zone might not have to be provided. Conversely, where the occurrence of a resource is infrequent in other areas and limited to the coastal zone, then the issue of access is real. In the exploitation of the resources, limits to the extent of exploitation and guidelines and standards to minimize environmental damage must be developed.

**Objective 1.5** Provide opportunities, methods and controls to assure the non-pollution of soil, water and air resources by any segment of the community be it governmental, industrial, agricultural or private.

The governmental sector has the responsibility of insuring the health, safety and welfare of the residents of the community. This basic tenet of government responsibility directly addresses pollution control as an opportunity to insure health, safety and general welfare. The private sector has the legal responsibility of complying with local ordinances and state laws and rules concerning pollution, and the moral responsibility of perpetuating a safe and healthful environment for future generations.

## Land and Water Use

**Goal 2: PROVIDE FOR THE BEST USE OF THE SHORELANDS IN LIGHT OF INTENDED AND DESIRED WATER USES AND CONTIGUOUS LAND USES.**

Each of the county plans reviewed in the development of this section addressed "compatibility" as a desirable end in terms of land use planning. A logical projection of that tenet appears to be compatibility of land and water uses. Land and water uses have to be addressed jointly in coastal zone planning because there is a direct affect and relationship between the two quantities; they cannot be divorced. The land provides access to the water and the water imparts a uniqueness and an opportunity to the contiguous land. There are many views as to what are proper uses of the shoreland; however, there may be a need to change some of these views in light of the nature of the coastal resource, the amount of it, its sensitivity and its meaning to the people of the Region and the state. A philosophy of encouraging those uses which need the coastal zone location for their existence must be employed. Water uses are dependent upon shore uses specifically as the water uses are dependent upon access and water quality. Resultantly, in land use goal formulation, we must look at land use as it affects both access and water quality.

**Objective 2.1** Encourage a philosophy of planning which supports only those land uses in the coastal zone which are dependent upon a coastal zone location for their existence.

Typically, planning has addressed land use conflicts, and coastal zone planning must also address a second dimension; that of water and land conflict. Very few uses of the coastal zone are in harmony with water use and water quality. The encouragement for this objective must come from the state to the local units. Local units must also shift their focus well from looking at the coastal zone resource in light of the enhancement of their tax revenue potential to addressing them as irreplaceable natural resources. Once this takes place, then the coastal zone and the land and water uses occurring therein will more likely be in harmony with each other as well as the natural system.

There are some questions as to the soundness of this principle and that performance standards and criteria might have more applicability in this case.

**Objective 2.2** Preserve the Region's shorelands in as natural a setting as possible.

This objective is the expansion of a statement for the entire Region initially made for the Grand Traverse Bay Area. In terms of future land use within the coastal zone, preservation of the shorelands should be the first alternative considered. As the ultimate it is desirable to preserve all the shoreland, obviously within the political realm, with existent ownership patterns and with present taxing policies 100% preservation is not an immediate possibility. A prioritized system of areas to be preserved by either acquisition or some less than fee program should be explored.

Presently the Federal government through the law which established the Sleeping Bear Dunes National Lakeshore is involved in preservation of a vital natural resource of national impact. The State is also involved in the preservation of some of the Region's shorelands primarily through development of its State Park System. The Wilderness State Park, the Fisherman's Island tract, and the Leelanau State Park acquisition are manifestations of the preservation policy and activity of the State. The State is also involved in the preservation of critical shoreland environmental areas through the Shorelands Management and Protection Act. There is a definite need for establishing local preservation policies along with development policies to define those areas that local people feel have a high priority for preservation as well as a ranking of other shoreland areas within the jurisdiction for preservation.

**Objective 2.3** Explore "sequential use" possibilities within the Region's coastal zone.

The Leelanau and Benzie County Plans address "economically valuable resource deposits" and the "inappropriate development of conflicting land uses." Sequential use doctrines may have feasibility of application within the coastal zone specifically in relation to extractive activities. Valuable high quality

sands and gravels as well as limestone deposits are natural occurrences within the coastal zone; however, control has to be exerted by local and State governments in principles and standards to be employed in the extraction of natural resource as well as to what is to occur in the mined area after the extraction activity is completed. There are many areas in the Region which are presently being mined or have the potential for being mined so that the subsequent or sequential use should presently be determined by the local governmental units.

**Objective 2.4** Explore principles of shoreland allocation which enhances public access, preserves habitat areas, and provides and/or enhances recreational opportunities and activities in the coastal zone.

We must be selfish with our Great Lakes coastal zone areas. A system of allocation of shorelands, at all levels of government, is necessary. This principle is already in partial operation in our Region with certain Federal and State Legislative actions and policies being asserted. The local units must express their initiative in determining the local needs in regard to shoreland preservation and development, and making allocative decisions concerning the shorelands in response to the needs.

The shore is an access point to the water. The waters of the Great Lakes are in public ownership and this broader public has a right to access. A major portion or consideration of any allocation scheme should address access to the waters.

**Objective 2.5** Employ planning principles which are sensitive to the water quality impact of land uses.

The quality of the Great Lakes water is dependent upon the shoreland use. Realizing the dynamic state of the Great Lakes and the shoreland continuum, which includes hundreds of governmental units and a full spectrum of land uses, plans must be formulated which are sensitive to the water quality of the entire lake system. Because of the extent of Lake

Michigan, water quality is a function of each occurrence within its basin but if locally we fail to relate land use and its effect on water quality, then total lake system quality, including water quality, will decline.

Certain land uses have a greater potential for water quality degradation than others. When located within the coastal zone these uses pose a much greater threat than if they were located inland. Also embraced in this discussion of land use and water quality is the type of treatment and disposal methods employed in attempting to render effluents from homes and industries harmless.

In relationship to the previous objective of "shoreland allocation," the effect of the land use on water quality should be of particular importance as to whether that land use is included in the allocation scheme.

Secondary effects of certain land use actions must also be considered in this objective. A sewer solves the problem of drain field leachate filtering into the lake; local government in order to justify the costs encourages development around and connected to the sewer. The new houses mean a greater incidence of impermeable surfaces-roofs, driveways, streets-and a greater amount of surface waters finding their way directly to water bodies which originally were absorbed by the soil. This runoff is carried into the lake taking with it soil sediments and nutrients to the lake despite the large capital outlay for a community service system. The full impact of actions of local government officials must be weighed prior to the time when a development is authorized, a zoning change made or a capital improvement approved.

**Objective 2.6. Attempt to coordinate private and public utility expansion and extension with the land use planning efforts of local units.**

Closely allied with land use development is the provision of utility service. Plans of private or quasi-public utility companies do not always reflect the local needs and desires as presented in the local planning program. A greater effort to coordinate utility extension and upgrading, in light of the local planning program, must come about if control of development is going to occur.

**Objective 2.7** Explore the reasoning and policies which support single family residential as the primary use within the coastal zone.

The shoreland provides a unique environment for residential development; however, the traditional design of shoreland residential areas takes on a "strip development" character. Strip development is determined to be undesirable when it occurs along roads and thoroughfares, but gains acceptability along the shore. This lake front strip development might be determined to be acceptable because aesthetically it is not totally pleasing, in respect to utilities it is inefficient, and in terms of land use it is wasteful. Suggested alternatives are clusters away from "sensitive" areas with common open spaces on the waterfront; and public ownership of shorelands not necessarily to fulfill recreational needs, but to insure non-development of those shorelands.

Residential uses can occur away from the lake without impinging upon the residential use, but once a residence is built on the shoreline, access to the public is denied.

**Objective 2.8** Encourage the use of urban waterfronts to represent a broader range of open space and recreational opportunities with a greater intensity of use.

Urban waterfronts by their very nature are not conducive to preservation in terms of wilderness qualities. Cities and villages, along the Great Lakes, should adopt a policy of acquisition of these lands. The urban waterfronts should provide a broad range of recreational activities and opportunities to their residents. Where industry has a part of the waterfronts, efforts should be made on the part of the local officials and representatives of the industries to prevent the visual pollution of the waterfront area through adequate site design measures, including landscaping and maintenance; the possibilities of relocation should also be explored. The urban waterfronts should be considered as the most logical area for development and expansion of marina facilities for recreational boating access. As a minimum, urban waterfronts should provide open space with limited access to the waters with the long range goal of each unit being the provision of more public land in the urban coastal zone.



**Objective 2.9      Encourage the public acquisition of sites  
of historic significance.**

Within the coastal zone there are many sites of historic significance. Local, regional and state policies should address a system of priorities for designation and preservation. Each level derives a different significance so that overall priorities may have to be negotiated.

**Objective 2.10      Insure that water uses are compatible with  
land uses.**

The potential of occurrences like off-shore mineral extraction, island construction, and off-shore port facilities is very real. Presently these activities are out of the realm of control of local governmental units. This longer-range objective involves the need for state action which provides local input and review of any decision that might be made concerning the waters use. Only in these special cases will water use not be fully determined by the contiguous land use.

**Goal 3:    MAKE GOVERNMENT RESPONSIBLE TO THE LIMITS OF THE  
COASTAL ZONE WITHIN THE SCOPE OF POLICY AND  
LEGISLATIVE DECISIONS.**

Within the coastal zone, growth and development decisions far supercede the limits of the local units of governments which make those decisions. The following quote presents a national view of local administrative responsibility and ability within the coastal zone:

"The majority of local communities are unable or unwilling to provide adequate protection to the environment and the associated living natural resources of the estuaries and the areas of the Great Lakes within their jurisdiction, even though broad social values to the people of the State and Nation are involved... (most local communities) tend to favor those residential or industrial developments of land and water areas which provide the highest direct return... It is apparent that primary responsibility

for management of the estuaries and comparable areas of the Great Lakes should be vested in the States. The local governments are not in a position to exercise this responsibility adequately." Volume I, pp.71-73, National Estuary Study.

This may not be a totally accurate picture of local initiative, since historically, local government has neither had the financial nor legislative wherewithal with which to effectively manage the coastal resource. Federal and state government, up until recently, have also been lax in their responsibilities of controlling activities in the coastal zone. Now, everyone is involved and local government will have to take a less parochial view of their coastal zone. Government officials must realize that the effects of their decisions spill over into bordering governmental units, as well as to the public waters which border their locale. The preservation and maintenance of the public waters is a responsibility of state and federal government and as such, these layers of government will be more watchful of the decisions of local officials especially in matters of the coastal zone. So, local officials will have to take into account the welfare of the "broader public" in their growth and development decisions.

The responsibility for control within the coastal zone is vested within each layer of government. Each level has its own particular area for which it should take responsibility in cooperation and coordination with the other levels.

**Objective 3.1** Obtain the cooperation of all coastal zone governmental units as well as regional, state and federal agencies in the coastal zone planning process.

Each level of concern has its responsibility within the coastal zone management planning process. Shoreland decision making should be delegated to the lowest level of government consistent with the scope of the issues being addressed. Also, these decisions should be consistent with the goals and constraints specified by the next higher level. The decisions and decision making process must be kept close to the people those decisions affect. Local units then have the responsibility of including coastal zone management planning principles in their local planning endeavors. Also, the local units have the responsibility of implementing those plans.

The regional agencies have the large responsibility of coordination; coordination between local units and coordination between the state and the local units. Regions also have the regional overview to address in this planning process including the statement of regional objectives and presentation of regional issues. There may also be an expressed need for a sub-regional policy body to address more local intra-county problems.

The state has the responsibility of developing a state management plan and setting state standards and specifications.

The federal government must set the national policy and develop guidelines and support for state, regional and local programs.

**Objective 3.2**      Encourage policies of proponent management especially in regard to the coastal zone.

Obviously, any local management program will consider what might be termed negative controls in the coastal zone, i.e., zoning, subdivision regulations and other permit programs. Proponent management deals with positive aspects in attempting to control land use: tax incentives, fee simple acquisition, purchase of mineral or development rights, acquisition of easements and managed growth principles. Managed growth principles are only to be used where local needs determine that growth in the coastal zone is desirable.

**Objective 3.3**      Guide and control population densities and distribution in order to maintain rural atmosphere, ecological balance, open space, high levels of sanitation and low levels of pollution.

Zoning practices will be used in the coastal zone as one of the primary growth controls where densities, distribution and compatibility are addressed. What will be an overriding need in the Region in relation to zoning will be effective administration. Many of the problems which are associated with zoning can be traced to the administration of the ordinance.

Local officials should keep in mind that good administration may come at a higher dollar cost; it might be assigned to the next higher level of capability where possibilities of cost effectiveness increase.

Factors which might be incorporated into the zoning ordinance, if a local unit is attempting to accomplish design controls, are site plan review provisions, planned unit development provisions, landscaping requirements or other similar measures.

**Objective 3.4 Insure the rights of the individual to the reasonable use of his land.**

The intent of this program is not to be confiscatory in nature but rather to insure the rights of the broad public to the use of the public waters, to insure the quality of the public waters, and to protect the individual's rights to his own land.

## FOOTNOTES - GOALS AND OBJECTIVES

Goal 1: No overt statement of goal; cumulative effect of objectives.

Objective 1.1 Comprehensive Recreation Plan, Emmet County, March 1970, p.3; Charlevoix County Environmental Features Survey, p.32; Future Growth in the Traverse Bay Region, 1972, p.4-8

Objective 1.2 Comprehensive Development Plan Benzie County Michigan, 1974, p.14; Comprehensive Development Plan Leelanau County Michigan, 1974, p.15; Comprehensive Plan Peninsula Township, 1974, p.5.

Objective 1.3 Benzie, p. 14; Leelanau, p. 14

Objective 1.4 Benzie, p. 16; Leelanau, p. 16

Objective 1.5 Benzie, p. 14; Leelanau, p. 15

Goal 2: This goal addresses compatability of uses. Each County plan identifies "compatability" as an achievable objective; eg., Charlevoix County Comprehensive Plan, 1970, p.44.

Objective 2.1 Traverse Bay, 4-9; A Plan for Michigan Shorelands, 1973, p.1.

Objective 2.2 Peninsula, p.5; Benzie, p.58; Leelanau, p.58; Management and Institutional Concepts for the Grand Traverse Bay Shorelands System, 1972, p.1.

Objective 2.3 Benzie, p.16; Leelanau, p.15; Future Land Use Plan Emmet County Michigan, 1971, p. 36.

Objective 2.4 Traverse Bay, pgs. 4-8 & 4-9; Peninsula, p.6.

Objective 2.5 Charlevoix, p.44; Traverse Bay, p.4-9; Peninsula, p.5.

Objective 2.6 Traverse Bay, 4-10.

Objective 2.7 Benzie, p.10; Traverse Bay, p.4-7;  
Leelanau, p.10.

Objective 2.8 Traverse City Waterfront Study, 1971.  
Though not overtly stated, this appears  
to be the approach taken in the study.

Objective 2.9 Benzie, p.58; Charlevoix, p.46;  
Emmet-Recreation pgs. 3-4; Leelanau, p.58.

Objective 2.10 Not referenced in a county plan as  
water/land compatability. As mentioned  
under Goal 2, land use compatability  
has been addressed. It is believed  
that this is an extension of the land  
use tenent.

Goal 3: Emmet-Land Use, p.36; Traverse Bay, p.4-11;  
Peninsula, p.6.

Objective 3.1 Traverse Bay, 4-11

Objective 3.2 The Structure of Management and Planning  
for the Coastal Zone.

Objective 3.3 Benzie, p.17, Emmet-Land Use, p.36;  
Leelanau, p.17.

Objective 3.4 Pursuant to suggestions of the Manistee  
County Planning Commission, August 20, 1975.

## REGULATORY PRACTICES IN THE COASTAL ZONE

When regulatory practices are discussed, one generally thinks of zoning as the regulatory practice. However, other tools for control are available to local units in determining their destiny in relation to future growth and development: the comprehensive plan, subdivision control ordinances, building and housing codes, capital improvement programming, and health codes. Of the 50 townships, cities and villages located in the coastal zone, 44 are covered by some sort of zoning regulation. Nine of the townships included in this figure are covered by a county zoning ordinance.

Of the other types of control, 14 local units have a land use plan with 5 counties also having similar plans, subdivision control ordinances are administered by 6 coastal zone units; building codes are in effect in each county with the larger cities and one village enforcing their own; there are 6 local units and 3 counties with capital improvements programs; all counties enforce health codes.

### Zoning in the Coastal Zone

The following table summarizes zoning activity by county in the coastal zone.

<u>COUNTY</u>	<u>TOWNSHIPS</u>	<u>VILLAGES</u>	<u>CITIES</u>	<u>TOTAL ZONED UNITS</u>
Antrim	3	1	-	4
Benzie	3	-	1	4
Charlevoix	5	-	1	6
Emmet	2+7*	-	2	11
Grand Traverse	3	-	1	4
Leelanau	7+2*	2	-	11
Manistee	4	-	1	5
<b>TOTAL</b>	<b>27+9</b>	<b>3</b>	<b>6</b>	<b>45</b>

\*Under County Zoning Jurisdiction

Converted to percentages, these figures show that 92% of the townships, 50% of the villages and 100% of the cities either have zoning in effect or are included within a zoning ordinance.

In a preliminary evaluation of some of the rural zoning ordinances a few universal facts do come out in respect to the existing townships and county ordinances.

One fact is that most of the rural coastal zone which falls under the jurisdiction of a zoning ordinance is zoned as medium density single family residential. Much of it is also given a "resort" or "recreational" pre-fix to distinguish it from the higher density residential districts. The use regulations are generally some of the more restrictive in each zoning ordinance, but such is not always the case. Setbacks are at least equal to but sometimes greater in relation to the waterfront than a typical front-yard setback; however, the setback line is determined from the mean high water mark. Resultantly, setbacks are less than the setbacks required in response to the State Shorelands Management and Protection Act, because State rules specify that the setback will be determined from the "bluffline".

Zoning is an adequate tool for controlling development if administered properly. No attempt has been made to evaluate either the administration of the ordinances or the working of the appeals boards in the granting of variances. Local units should take it upon themselves to evaluate the administration of their zoning ordinance. This is entirely a local matter for local officials to weigh.

#### Other Controls in the Coastal Zone

Zoning can be made more effective through the implementation and coordination of other control measures. Prior to the adoption of a permanent zoning ordinance the community should have developed a comprehensive plan on which to base the zoning ordinance as well as administrative and appeal board decisions. The plan is the singular most important fact in justifying and rationalizing the reasonableness of the restrictions and controls of the zoning ordinance.

Subdivision control ordinances, specifying design requirements, utility provisions and local review requirements are of use in augmenting the zoning ordinance. In the coastal zone the subdivision ordinance can provide for waterfront subdivisions which are well designed, aesthetically pleasing and enhance the natural setting. Building codes can provide for special



construction considerations especially in respect to flood-proofing construction methods and providing a sound structure. The capital improvement program can be a critical link in regard to growth management, through the financial programming of capital improvements: roads, sewer and water provisions, parks and open space, etc. The development and adoption of the local comprehensive plan is a first step in this programming function. Health codes, especially in the coastal zone, are important in regard to the environmental health aspects; water quality and its maintenance is of critical concern in the formulation and administration of the health code. It becomes essential to coordinate the functions of all the aforementioned growth control tools; used properly they can go a long way in providing for orderly growth and development.

In regard to "proponent management" and the positive aspects of land use control there has been little work done in the Region. There are many municipalities who have addressed the recreational and preservation aspect of the Region's coastal zone. The Antrim County Parks Commission owns and operates two areas on East Grand Traverse Bay; they have worked positively toward recreational development on the Great Lakes. The Village of Elk Rapids has an operating marina facility. The City of Frankfort is presently improving its recreational marina facility. The City of Charlevoix owns and operates three Great Lakes sites for recreational access. The City of Petoskey has an acquisition and recreation program focused on Little Traverse Bay as does Harbor Springs. The Emmet County Planning Commission has a Recreation Plan which enumerates projects within the coastal zone, but no implementing agency exists. The City of Traverse City has had an open space development program for its bay waterfront. Peninsula Township has an operating Parks Commission. Some of the townships and the three villages in Leelanau County have acquired and developed park and/or marina facilities. Some of these communities are looking to expand their coastal zone facilities. The City of Manistee has developed a major recreational facility on Lake Michigan at the mouth of the Manistee River. Arcadia also has public access on the Great Lakes.

In total, local government has done much in acquiring Great Lakes land and developing it for recreational pursuits. Other units must also follow the initiatives of those communities above; those communities which have asserted themselves should pursue the enhancement of the local recreational opportunities through further recreational development and acquisition.

### Comment: Zoning and Management

Local zoning authority and administration might be given too much emphasis in respect to its role in Coastal Zone Management. Zoning, as an exercise of the police power, regulates the use of land, and as a regulation must be reasonable. When coastal zone management addresses preservation of certain areas then zoning in Michigan no longer stands as a reasonable exercise of the police power, but becomes confiscatory. The zoning ordinance must always address the use of land; the uses must be reasonable in light of local values to protect the rights of the owner and the health, safety and welfare of the public. When preservation and conservation are addressed, some other means of control will have to be addressed.

If the goals and objectives reflect the real values and needs of the people of Northwest Michigan, and the needs of the people of the State and nation, then more controls will have to be exerted. This will necessitate new or different approaches by local government. Some suggestions are:

1. A larger geographic base for zoning can provide for a stricter ordinance. Zoning on a township level may have to provide for as many districts in its relatively small geographic area as a county might over a larger area. This means that a more restrictive zoning district could have more extensive applicability in a county than in a township ordinance.
2. Greater use of capital improvements programming as a growth management tool.
3. Purchase and resale or lease back with development restrictions and protective covenants by state and local units could be used in preserving buffers and providing protective easements and overall use restrictions. A "revolving fund" could be established to carry on this function.
4. The development of a state policy geared to the acquisition of coastal zone lands in some priority order such as:
  - a. Those of critical concern under immediate development pressure.
  - b. Those of critical concern.
  - c. Others which are available for purchase.

A definite local/state exchange of concerns and ideas must occur to implement this particular approach especially in regard to the identification of areas of local and state critical concern.

There may be more than these four approaches to control techniques however, these techniques do not need new legislative action to permit local government to employ them. The approaches are not new, they are just not used to their full potential. The last or fourth approach may necessitate some legislative action if the policy is to be widely applied.

In employing these approaches or in the employment of the standard growth controls, government must realize that there must be a balance between growth and conservation and preservation. Growth is healthy but only as far as it does not impinge upon a healthy social and natural environment. Along with the responsibility of controlling growth lies the responsibility of preservation and conservation. When this responsibility is realized, then new devices can be employed.

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